

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of inventors Whaley et al.

Serial No. 10/540,971

Group Art Unit: 1638

Filed: 12/19/2005

Examiner: Kruse

Confirmation No. 1040

For: ***"GENE ENCODING RESISTANCE TO ACETOLACTATE SYNTHASE-INHIBITING
HERBICIDES"***

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Office Action mailed 09/24/ 2007, Applicant hereby elects, without traverse, the Group II claims 4-13 for further examination. The Group II claims are drawn to an ALS gene encoding an ALS enzyme cross-resistant to multiple herbicides, a transgenic plant comprising the gene and a method of using the gene to make the transgenic plant.

Please charge any underpayment or credit any overpayment of fees to attorney's deposit account # 50-2041.

Respectfully submitted,



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